

**MEMO ENDORSED**

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August 12, 2020

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**VIA ECF**

Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *Uniformed Fire Officers Ass'n, et al. v. de Blasio, et al.*  
Case No. 1:20-cv-05441-KPF

Dear Judge Failla:

On behalf of the New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus (the "Caucus"), I write to request that the Court allow the Caucus to participate as amicus curiae, in support of Communities United for Police Reform's ("CPR") motion to intervene in the above-captioned matter. Plaintiffs in this action seek to block the disclosure of disciplinary records of New York City police officers, among others, which were previously exempt from public disclosure under Civil Rights Law § 50-a. The repeal of § 50-a, on June 12, 2020, was the direct result of a years-long effort for police reform advanced by the Caucus, and championed by a host of organizations, including CPR.

The Caucus is a 62-member body of state legislators, which represent about 25% of residents across the State of New York, from Long Island, the metro New York City area, and upstate regions. Its members share a common interest in the purpose and function of the legislative process, and the manner in which that process affects the lives and well-being of the people, in general, and in particular, those persons with ties in the Black, Puerto Rican, Hispanic and Asian communities. In furtherance of its mission, and on behalf of its members' constituents, the Caucus was instrumental in passing the recent legislation repealing § 50-a. Indeed, the repeal legislation's sponsor is a member of the Caucus.

Further, the Caucus is in a distinctive position – its members participated in the legislative hearings and heard testimony from parties involved in this suit and other advocacy organizations, including CPR. Thus, the Caucus respectfully submits that it is uniquely qualified to be of assistance to this Court in addressing the issues presented by CPR's motion to intervene, particularly with respect to whether the existing Defendants can sufficiently represent its interests. *See C & A Carbone, Inc. v. County of Rockland, NY*, No. 08-cv-6459-ER, 2014 WL 1202699, at \*3-4 (S.D.N.Y. Mar. 24, 2014) ("An amicus brief should normally be allowed . . . when the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.") (quoting *Ryan v. Commodity Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir.1997)).

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If granted leave, the Caucus would file its amicus brief on or before August 14, 2020, which is the current deadline set by the court for written amicus submissions.

Based on the foregoing, the Caucus respectfully requests leave to participate in the above-referenced action as amicus curiae.

Respectfully submitted,

Littler Mendelson, P.C.

*/s/Pamela S. C. Reynolds*

Pamela S. C. Reynolds

cc: All Counsel (via ECF)

Application GRANTED. The Caucus may file its amicus brief on or before August 14, 2020.

Dated: August 12, 2020  
New York, New York  
4833-2385-0695.1

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE